IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.295 of 2007
KAMLESH CHANDRA TRIPATHI & ANR
Versus
STATE OF BIHAR & ORS
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5 11.8.2008 In the instant writ petition the petitioners seek appropriate direction to the respondent authorities to conclude the investigation of Sasaram (Nagar) P.S. Case No.113 of 2005 lodged on 5.4.2005 under sections 304B/34 of the Penal Code.

Learned counsel for the petitioners submits that petitioner no.1 is brother of husband of deceased and petitioner no.2 is wife of petitioner no.1. He further submits that at the alleged date of occurrence, the petitioners were not present in Sasaram rather petitioner no.1 was in service in the State of Jharkhand. He submits that earlier supplementary charge sheet was submitted against the petitioners showing them as absconders. He submits that in course of investigation it was found that the Investigating Officer has not done investigation properly and investigation on certain aspects still remained to be done. Consequently an application was filed before the learned Chief Judicial Magistrate, Rohtas seeking permission for further investigation in the case who by his order dated 20.12.2007 granted permission to conduct further investigation in the case.

Learned counsel submits that the Investigating Officer pursuant to the aforesaid order conducted investigation and submitted his report to the Superintendent of Police, Rohtas on 26.4.2008 stating therein that there is sufficient material to show that at the alleged date of occurrence, the petitioners were not present at the place of

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occurrence.

Having considered the facts and circumstances of the case, this court directs the respondents to conclude the investigation and submit its report after considering all materials on record as well as report dated 26.4.2008 of the I.O. to the Superintendent of Police, Rohtas, preferably within three months from the date of receipt/production of a copy of this order.

With this aforesaid observations and directions, this application stands disposed of.

(S.P.Singh,J)

KHAN

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